REMARKS

No claims have been amended, added or cancelled. No claims have been added or cancelled. Claims 1-24, 51-73, 100-117, 136 and 138 are pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Double Patenting Rejection:

The Examiner rejected claims 1-24, 51-73, 100-117, 136 and 138 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-45 of U.S. Patent No. 6,868,447. Applicants traverse this rejection for the following reasons. The Examiner notes the claims of U.S. Patent No. 6,868,447 do not include the limitations in regard to bridging and proxy service as recited in the claims of the present application. The Examiner contends that these limitations were well known and would be obvious. The Examiner refers to the Tuatini reference for support of this contention. Applicants traverse the Examiner's assertion that these limitations were well known in the context of Applicants' claimed invention. The Examiner's reliance on Tuatini is misplaced as discussed below in Applicants' traversal of the prior art rejections. Therefore, the Examiner's double patenting rejection is not supported by the cited art.

In the Response to Arguments section, the Examiner responds to Applicants' argument above by merely repeating the previous citations from Tuatini as well as by citing passages several other references.

Firstly, the Examiner has incorrectly stated that Applicants' previous argument was bridging and proxy service is *not well known in the art.* The Examiner has misunderstood Applicants' argument. Applicants are arguing that a bridging and proxy service was not well known *in the context of Applicants' claimed invention.* Bridging and proxy services may have been well known in other contexts, but Applicants assert that bridging and proxy services were not well known in the context of Applicants'

claimed invention.

Secondly, as noted above, the Examiner's reliance on Tuatini for the double patenting rejection (and the § 102 and § 103 rejections discussion below) is misplaced as 1) Tuatini fails to teach or suggest the particular limitations of Applicants' claims (as discussed below regarding individual claim rejections) and 2) the Examiner has not properly shown that Tuatini qualifies as prior art.

Thirdly, as to the several other references cited by the Examiner, these references may indicated that bridging and proxy services were well known in other contexts, but fail to show that bridging and proxy services were well known in the context of the particular limitations of Applicants' claimed invention.

According to MPEP 804.II.B.1, to state a proper obviousness-type double patenting rejection, the Examiner should list the differences between **each** rejected claim and the claims of the other patent/application, and for **each** difference the Examiner should give the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in a claim of the other patent/application. Simply noting a few similarities between the claims does not satisfy the Examiner's burden to state valid reasons (supported by evidence of record) why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in a claim of the other patent/application. Nor has the Examiner specifically addressed **each difference** of the claim of the present application compared to the claim of the other application. Instead, the Examiner merely states, "[a]lthrough the conflicting claims are not identical, they are not patentably distinct from each other because the patent teaches the limitations as disclosed such that the interpretation of a first entity accessing a second entity through messages in a data representation language is equivalent to a first client sending a first message in to a first service and the first service generating a set of results in response to the first message, wherein the set of results are expressed in a data representation language and using a

space, advertisement, XML, and URI." The Examiner clearly has not met the requirements stated in MPEP 804.II.B.1 to establish a *prima facie* obviousness-type double patenting rejection. Accordingly, Applicants respectfully request removal of the double patenting rejection.

Section 102(e) Rejection:

The Office Action rejected claim 138 under 35 U.S.C. § 102(e) as being anticipated by Tuatini. Applicants respectfully traverse this rejection for at least the following reasons.

Regarding claim 138, Tuatini does not disclose the proxy service providing to the first entity an interface to a second entity in the second computing environment, wherein providing an interface comprises sending to the first entity a schema defining one or more messages in the data representation language for accessing the second entity, in contrast to the Examiner's contention.

The Examiner cites paragraphs [0166-0168] where Tuatini describes the use of an LDAP directory service. However, Tuatini does not teach sending a client application (which the examiner equates to a first entity) a schema defining one or more messages in the data representation language for accessing the second entity. Instead, Tuatini describes how a LDAP directory may include a schema defining object classes of information that can be stored in the directory entries. Tuatini does not mention anything about a schema defining messages in a data representation language for accessing the LDAP directory service. Tuatini also fails to mention sending such a schema to the client application.

Furthermore, Tuatini teaches how a client accesses a LDAP directory by instantiating a directory manager object and uses method of the directory manager object to retrieve other objects (both directory entry objects and adapter objects) for accessing particular directory entries. (Tuatini, paragraph [0167]). Thus, Tuatini's system provides

access objects for the entries of a LDAP directory service rather than sending a schema defining messages in a data representation language for accessing the directory service.

In the Response to Arguments section of the Final Office Action, the Examiner responds to Applicants' arguments above (as presented previously) by asserting that certain language used in Applicants' argument "are not recited in the rejected claims." The Examiner has misunderstood Applicants' argument. For example, the Examiner contends that sending "a schema to the client application" (underlining by Examiner) is not recited in Applicants' claim. However, Applicants never argued that sending a schema to the client application was recited in claim 138. The Examiner, in the rejection of claim 138 equates Tuatini's client component (FIG. 41) with the first entity of Applicants' claim. Applicants' argument is that Tuatini does teach sending a schema defining messages in a data representation language to (Tuatini's) client application. Thus, Applicants' use of the phrase "to the client application" illustrates that Tuatini fails, under the Examiner's interpretation and line of reasoning, to disclose the specific limitations of claim 138. Similarly, the use of the terms, "for accessing the directory service" and "sending the XML DTD to a client component" in Applicants' remarks and arguments illustrate that the Examiner's reliance on Tuatini is misplaced.

The Examiner also cites paragraphs [0122-0132] where Tuatini describes the use of a XML document type definition (DTD) to specify message parameters used to request service functions. However, the cited passage does not mention a proxy service sending the XML DTD to a client component, which is required by Applicants' claim 138. Instead, Tuatini describes that the XML DTD may be a part of a group of information for each shared service providing functionality to clients and that the information is "made available to others" (Tuatini, paragraph [0125]). The mere statement that an XML DTD is *made available* to others does not disclose the specific limitation of *a proxy service sending* a schema to a first entity, as recite in applicants' claim 138. There are, in fact, many ways in which information may be "made available" to entities in a distributed computing environment, as is well known in the art. For example, Tuatini states that the XML DTDs may be stored separately from the access interface information (Tuatini,

paragraph [0128]) and that Tuatini's messaging component may *retrieve* the XML DTD to verify that a message is properly formatted, thus implying that in Tuatini's system the XML DTDs are made available by storing them in a shared location.

In the Response to Arguments section, the Examiner incorrectly characterizes Applicants' previous argument by stating, "it seems that applicant is implying that the cited references do not disclose 'proxy client' / 'accessing of a Jini Service proxy from clients', which the claims are not limited to." As stated above (and previously) Applicants argue, in part, that Tuatini does not disclose a proxy service <u>providing to the first entity an interface to a second entity</u> ..., wherein providing an interface comprises <u>sending to the first entity</u> a schema defining one or more messages in the data representation language for accessing the second entity. The Examiner cites Tuatini's teaches regarding the use of a XML DTD. However, as stated quite clearly above, Tuatini does not disclose a proxy service sending the XML DTD, which the Examiner equates to the schema of Applicants' claim, to the client component, which the Examiner equates to the first entity of Applicants' claim. Instead, as noted above, Tuatini merely teaches that the XML DTD (schema) is made available and that Tuatini's messaging component may retrieve the XML DTD (schema). Merely making a XML DTD available such that it may be retrieved does not disclose the proxy service sending to the first entity a schema. Thus, Tuatini clearly fails to disclose <u>the proxy service providing to the first entity an interface to a second entity</u> in the second computing environment, wherein said providing an interface <u>comprises sending to the first entity a schema</u> defining one or more messages in the data representation language for accessing the second entity.

As anticipation under 35 U.S.C. § 102 requires that the presence in a single prior art reference disclosure of <u>each and every element</u> of the claimed invention, <u>arranged as in the claim</u> (*Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984)), Tuatini clearly does not anticipate applicants' claim 138. Thus, the rejection of claim 138 is not supported by the prior art and removal thereof is respectfully requested.

Furthermore, this rejection is improper because the Examiner has not shown that Tuatini qualifies as a prior art reference. The Examiner has the burden of proof to produce the factual basis for the rejection. *In re Warner*, 154 USPQ 173, 177 (C.C.P.A. 1967), *cert. denied*, 389 U.S. 1057 (1968). Since the Examiner has not proven that Tuatini qualifies as a prior art reference, the Examiner has not met this burden of proof and the rejection is improper. More specifically, the Tuatini patent was filed on January 2, 2001, <u>after</u> applicants' filing date of October 19, 2000. Tuatini does claim the benefit of provisional applications filed December 30, 1999. However, the December 30, 1999 filing date can only be used as Tuatini's 35 U.S.C. § 102(e) prior art date for the subject matter that is common to both the Tuatini patent and the provisional applications. Since it is common practice for a later filed utility application to include more or different subject matter than its earlier provisional application(s), it is unclear whether the material in Tuatini relied upon by the Examiner was actually present in Tuatini's provisional applications. In fact, from even a cursory review it is clear that Tuatini's published application differs greatly from its provisional applications.

Moreover, the Tuatini publication is not entitled to the December 30, 1999 date as a section 102(e) prior art date unless at least one claim of the Tuatini publication is supported (under 35 U.S.C. § 112) in the provisional application. Under 35 U.S.C. 119(e)(1), a published patent application is not entitled to its provisional application's filing date as a prior art date unless at least one claim of the published application is supported (per 35 U.S.C. § 112) in the provisional application. The rejection is improper unless the Examiner can show that Tuatini's published application has the necessary claim support in the provisional application to be entitled to the provisional application's filing date as its § 102(e) prior art date. *See also* M.P.E.P. § 2136.03(IV).

In response to Applicants' previous request that the Examiner particularly point out those portions of Tuatini's provisional application relied upon by the Examiner, as required by 37 CFR 1.104(c)(2), the Examiner refers to pages 4, 16, 78, 112, 236, 324, and 428 of Tuatini's provisional application 60/173,712. However, three of these pages

(78, 112, 136) are portions of a general, high level, overview and do not support, or have any relevance to, the portions of Tuatini's publication that the Examiner is relying upon in his rejection. For example, page 78 is merely a title page that mentions "GEPS E-Business Architecture Workout" and "Java Coding Standards". Page 112 is an illustration depicting various categories, such as auditing, security, event logging, etc. illustrated as puzzle pieces with an "application component" puzzle piece in the center. Page 236 lists various developmental steps, such as "define and develop partitioning, replication and referral policies", "develop load, maintenance and synchronization services", "develop framework LDAP query components", etc. Nothing in these three pages supports the specific subject matter of Tuatini relied upon by the Examiner in his rejections.

The Examiner also refers to pages 4, 16 and 428 of Tuatini's provisional application 60/173,712. Page 4 illustrates the logical connects between various components that collaborate with Tuatini's ControlServlet component. Page 16 describes various Java classes, such as the Application, BaseGenericServlet and BaseHttpServlet classes. Page 428 provides a discussion of Tuatini's messaging component and is the only page referred to by the Examiner that teaches something relied upon by the Examiner, namely Tuatini's messaging component. The pages referred to by the Examiner, whether considered individually or as a group, do not support hardly any of the subject matter of Tuatini relied upon by the Examiner in his rejection.

Page 324 of Tuatini's provisional application 60/173,712 illustrates a flowchart. However, the details of the flowchart are completely illegible. Thus, page 324 (as it is illegible) does support any of the subject matter relied upon by the Examiner in his rejection. In response to Applicants' earlier argument that page 324 is illegible, the Examiner additionally cites pages 305 – 323 of Tuatini's provisional application. These pages first describe pseudo-code of various class definitions, such as orderquery and order, in Tuatini's system as well as various aspects of Tuatini's schema compiler, such as the serialize and deserialize functions, the overall processing of the parser component and the code generator component. The pages also describe the processing of a service

request that is passed and may return serialized messages. **However, as with the other pages cited of the by the 60/173,712 provisional application, none of these pages support the subject matter relied upon by the Examiner in the rejection of claim 138.**

Furthermore, the pages of the Tuatini provisional application cited by the Examiner do not support any of the claims of Tuatini's application. For instance, the pages cited by the Examiner do not support claim 1 of the Tuatini application per the requirements of 35 U.S.C. § 112, first paragraph. Therefore, the Examiner has not met his burden of proof to show that Tuatini qualifies as prior art.

Section 103(a) Rejection:

The Examiner rejected claims 1-5, 19-21, 23, 24, 51-55, 68-70, 72, 73, 100-103, 113, 114, 116 and 117 under 35 U.S.C. § 103(a) as being unpatentable over Tuatini in view of Mead et al. (U.S. Patent 6,061,728) (hereinafter "Mead"), and claim 136 as being unpatentable over Tuatini in view of Cheng (U.S. Publication 2001/0032273), Machin et al. (U.S. Publication 2002/0032806) (hereinafter "Machin") and Beck et al. (U.S. Patent 6,604,140) (hereinafter "Beck"). Applicants respectfully traverse these rejections for the reason that, as shown above, Tuatini has not been established to be prior art to the present application. Applicants further traverse these rejections for at least the following reasons.

Regarding claim 1, Tuatini in view of Mead fails to teach or suggest a proxy service providing to the first entity an interface to a second entity in the second computing environment, wherein the proxy service appears to the first entity as the second entity. The Examiner admits that Tuatini fails to each a proxy service that provides an interface to a second entity and that appears to a first entity as the second entity and relies upon Mead, citing column 3, lines 1 through column 4, line 24 of Mead. Mead teaches a system in which multiple proxy devices coordinate to communicate messages between local area networks via a wide area network using a transparent

bridging system. Specifically, Mead teaches the use of a master proxy device that mediates and selects which of the proxy devices should handle which messages sent between a local area network and a wide area network.

The Examiner's assertion that Mead teaches the use of a proxy service that appears to a first entity as a second entity is clearly erroneous. Mead's proxy devices do not appear as other entities to Mead's clients (or to any other entity in Mead's system). Nowhere does Mead mention that his proxy devices appear as other entities to components of Mead's system. Instead, Mead's proxy devices route messages received from an end station between two local area networks via a wide area network. Each proxy device routes messages and translates them between an Ethernet protocol and a TCP/IP protocol (Mead, FIG. 3 and column 6, lines 28-60). Mead does not mention that a proxy device appears to the end station as the entity to which the end station is sending a message, as would be required if Mead were to teach a proxy service that appears to a first entity as a second entity, as the Examiner contends. The Examiner is apparently relying upon the fact that Mead's system includes a transparent bridging mechanism. However, transparent bridging is well understood in the art and **does not include** a proxy service that provides an interface to a second entity and that *appears as the second entity to a first entity*. Mead's proxy devices are transparent because an entity on one local area network sending a message to another local area network via a wide area network is not aware that the proxy devices are performing the routing. Instead, as noted above, Mead's proxy devices only route network message frames from one network to another. The end stations in Mead's system are not aware of Mead's proxy devices at all and do not view the proxy devices as some other entity in the computing environment.

In response to Applicants' argument above (as presented previously) the Examiner, in the Response to Arguments, asserts that "Mead's teachings and disclosure are <u>not limited</u> to the applicant assertions" (underlining by Examiner). The Examiner also repeats the assertion that Mead discloses a proxy service that appears to the first entity as the second entity, citing the same passage (column 3, line 1 – column 4, line 24) as cited in the rejection of claim 1. However, the Examiner fails to make any substantive

rebuttal or additional argument regarding the fact that Mead's proxy devices function as a transparent bridging mechanism, not as recited in claim 1. Nor does the Examiner substantively rebut Applicants' argument that transparent bridging systems do not include proxy services that appear as a second entity to a first entity. Instead, the Examiner refers to a computer dictionary definition of various terms, such as proxy, bridge, schema, etc. However, none of the definitions in the cited reference describe or mention anything about a proxy service that appears as a second entity to a first entity and thus fail to support the Examiner's rejection.

Additionally, the Examiner's statements regarding Applicants'claims containing "broadly claimed subject matter" reading on the Examiner's interpretation is clearly incorrect. As noted above (and which the Examiner has failed to properly rebut) Applicants' clearly state that Tuatini in view of Mead fails to teach or suggest a proxy service providing to the first entity an interface to a second entity in the second computing environment, wherein the proxy service appears to the first entity as the second entity. Applicant has demonstrated that Mead's proxy devices, which the Examiner equates to the proxy service of Applicants' claim, does not teach or suggest a proxy service that appears to a first entity as a second entity. The Examiner has never provided any interpretation that shows how Mead's proxy devices, which as admitted by the Examiner provide a *transparent* bridging service, can appear as a second entity to a first entity.

Additionally, the Examiner's proposed combination of Tuatini and Mead would not result in a system that includes a proxy service providing to a first entity an interface to a second entity where the proxy service appears to the first entity as the second entity. Instead, the Examiner's proposed combination of Tuatini and Mead would result only in allowing Tuatini's application framework, including the messaging component to also transparently route messages between local area networks via a wide area networks using the multiple proxy devices of Mead. Since neither Tuatini nor Mead, whether considered single or in combination, teaches or suggests a proxy service that appears as another

entity, no combination of Tuatini and Mead would include such a proxy service (that appears as another entity).

Moreover, Mead's proxy devices are at a completely different computing layer than Tuatini's messaging component, which the Examiner interprets as the proxy service of Applicants' claim. Tuatini's messaging component does not have anything to do with routing frames between a LAN and a WAN. Even if one where to modify the messaging component of Tuatini, which the Examiner interprets as a proxy service providing to first entity an interface to a second entity, the result would merely allow Tuatini's messaging component to route messages between a local area network and a wide area network and between an Ethernet protocol and a TCP/IP protocol. Nothing in such a combination would include or suggest that the messaging component would appear as another entity.

Therefore, for at least the reasons presented above, the rejection of claim 1 is not supported by the prior art and removal thereof is respectfully requested. Similar remarks also apply to claims 51 and 100.

Regarding claim 22, the Examiner stated that it would have been obvious to combine the teachings of Tuatini and the AAPA because the AAPA's use of Jini environment would provide access to the Jini services. Applicants disagree with the Examiner's statement. Applicants submit that such a broad conclusory statement, as made by the Examiner, does not provide a sufficient motivation to combine the teachings Tuatini and the AAPA. "The factual inquiry whether to combine references must be thorough and searching." *McGinley v. Franklin Sports, Inc.*, 60 USPQ2d 1001, 1008 (Fed. Cir. 2001). It must be based on objective evidence of record. "This precedent has been reinforced in myriad decisions, and cannot be dispensed with." *In re Lee*, 61 USPQ2d 1430, 1433 (Fed. Cir. 2002). "A showing of a suggestion, teaching, or motivation to combine the prior art references is an essential component of an obviousness holding." *Brown & Williamson Tobacco Corp. v. Philip Morris Inc.*, 56 USPQ2d 1456, 1459 (Fed. Cir. 2000).

The Federal Circuit has stated: "[o]ur case law makes clear that the best defense against the subtle but powerful attraction of a hindsight-based obviousness analysis is rigorous application of the requirement for a showing of the teaching or motivation to combine prior art references." The need for specificity pervades this authority. *See, e.g., In re Kotzab*, 217 F.3d 1365, 1371, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000) ("particular findings must be made as to the reason the skilled artisan, with no knowledge of the claimed invention, would have selected these components for combination in the manner claimed" (emphasis added)); *In re Rouffet*, 149 F.3d 1350, 1359, 47 USPQ2d 1453, 1459 (Fed. Cir. 1998) ("even when the level of skill in the art is high, the [Examiner] must identify specifically the principle, known to one of ordinary skill, that suggests the claimed combination. In other words, the [Examiner] must explain the reasons one of ordinary skill in the art would have been motivated to select the references and to combine them to render the claimed invention obvious."); *See also, In re Fritch*, 972 F.2d 1260, 1265, 23 USPQ2d 1780, 1783 (Fed. Cir. 1992).

The Examiner has failed to provide any proper motivation for modifying Tuatini in view of AAPA. Instead the Examiner has merely pointed to standard boilerplate indicating that Tuatini's system may be modified, but that does not provide any motivation for the specific modification suggested by the Examiner. Similarly, nothing from AAPA provides any suggestion to modify the teaching of Tuatini to include the Jini environment.

Just because the Jini environment was known in the prior art, does not mean that one of ordinary skill in the art would have been motivated to modify the teachings of Tuatini with the Jini environment. The Examiner has provided no objective evidence of record to the contrary. Applicants also respectfully remind the Examiner that "[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination." (M.P.E.P. § 2143.01, paragraph 8). The Examiner has only shown that both Tuatini and the Jini environment were known in the art. However, the Examiner's stated motivation, namely, "to utilize Jini services of the Jini environment so that a client

will be able to acess [sic] advertisement related information from the remote servers of the Jini network through proxy services" amounts to nothing more than a conclusory statement based in hindsight analysis of the present application.

In the Response to Arguments, the Examiner notes that the test for obviousness to combine references is not whether the features of a secondary references may be bodily incorporated into the structure of a primary references and is also not that the claimed invention must be expressly suggested in any one or all of the references. Rather the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. However, Applicants are arguing that no one would be motivated to modify the system of Tuatini to include the Jini environment in view both the Tuatini reference and applicants' AAPA. Furthermore, this statement by the Examiner does not change the fact that the Examiner has failed to provide a proper motivation to modify Tuatini in view of applicants' AAPA. As noted above, the Examiner has merely referred to features of the Jini environment, such as "[t]he Jini environment would provide access to Jini services", "Jini services would provide information to the client over the network" and "[t]he client would utilize the provided information". Thus, the Examiner's stated motivation amounts to nothing more than concluding that since both Tuatini's system and the Jini environment were known it would be obvious to combine them, which as noted above, is clearly improper.

In light of the above remarks, Applicants assert that the rejection of claim 22 is not supported any evidence of record. Withdrawal of the rejection is respectfully requested. Similar remarks as discussed above in regard to claim 22 apply to claims 71 and 115.

Regarding claim 136, Tuatini in view of Cheng, Machin and Beck fails to teach or suggest <u>a proxy service providing</u> to the first entity an interface to a second entity in the second computing environment comprises providing <u>an advertisement for the second entity</u>, wherein the advertisement for the second entity <u>includes access information for accessing the second entity</u> in the second environment from the first environment and

wherein the advertisement <u>includes information describing one or more computer programming language method calls</u> to methods in the computer programming language provided by the second entity.

The Examiner relies upon Cheng to teach providing an advertisement for the second entity including access information for accessing the second entity and including information describing computer programming language method calls to methods in the computer programming language provided by the second entity. The Examiner cites figure 3 and paragraphs 9-12 and 23-24 of Cheng. However, the cited portions of Cheng do not describe providing an advertisement including access information and information describing computer programming method calls. Instead, as noted above, Cheng teaches the use of thin glue layers to bridge a non-IP network with the Internet. Cheng's thin glue layers translate between the IP protocol and the non-IP protocol and allow commands and responses to tunnel between applications in the Internet and the non-IP network (Cheng, paragraph [0011]).

The Examiner seems to be arguing that Cheng's teaching regarding a HAVi (a particular non-IP network) application using a HAVi API to access Internet services implies providing an advertisement including access information and describing method calls. However, Cheng does not mention providing any sort of advertisement that includes access information or describing computer programming language method calls. Instead, Cheng only refers to the fact that the glue layers can translate between the two protocols. The Examiner admits that Tuatini fails to provide an advertisement including access information and describing computer programming language method calls. Thus, the Examiner proposed combination of Tuatini and Cheng also fails to teach providing an advertisement including access information and describing computer programming language method calls. Furthermore, Machin and Beck fail to overcome the above noted deficiencies of both Tuatini and Cheng. Therefore, the combination of Tuatini, Cheng, Machin and Beck fails to teach or suggest a proxy service providing an advertisement including access information and describing method calls.

In response to Applicants previously presented arguments regarding claim 136, the Examiner, in the Response to Arguments, contends that Applicants argued against the references (then Tuatini in view of Beck) individually. However, Applicants very clearly argued against the references both individually and in combination. For example, applicants have argued with reference to Tuatini in view of Beck and specifically refer to the fact that "Tuatini and Beck, either separately or in any combination" fail to teach certain limitations of applicants' claims. Applicants' previously presented argument concluded by stating, "the Examiner's suggested combination of Tuatini and Beck fails to teach or suggest" various limitations of Applicants' claims. Furthermore, to the extent that Applicants have presented arguments regarding a single cited reference, those arguments were demonstrating that, for the specific subject matter relied upon by the Examiner, the Examiner's reliance on that cited reference was erroneous. Thus, Applicants respectfully traverse the Examiner contention that Applicants have only argued against the references individually.

Thus, for at least the reasons above, the rejection of claim 136 is not supported by the prior art and removal thereof is respectfully requested.

Applicants also assert that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the rejection has been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time.

<u>Claim Objected To But Otherwise Allowable</u>:

Claims 8-11, 57-60 and 106-109 were objected, but otherwise allowable if rewritten in independent form. However, Applicants assert that claims 8-11, 57-60 and 106-109 are allowable in their present form.
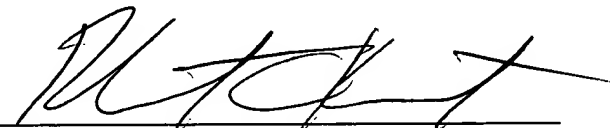
CONCLUSION

Applicants submit the application is in condition for allowance, and notice to that effect is respectfully requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5181-72200/RCK.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

☐ Petition for Extension of Time

☐ Notice of Change of Address

☐ Other:

Respectfully submitted,

Robert C. Kowert
Reg. No. 39,255
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8800

Date: __March 8, 2006__